

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 DONALD B. MURPHY
11 CONTRACTORS INC,

Plaintiff,

12 v.

13 INDIAN HARBOR INSURANCE
14 COMPANY,

15 Defendant.

CASE NO. C16-0329JLR

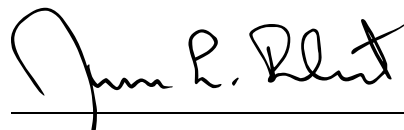
ORDER CONTINUING STAY

16 On December 13, 2016, the court granted the parties' stipulated motion to stay this
17 suit pending resolution of the underlying case that is the subject of this insurance
18 coverage litigation. (12/13/16 Stay Order (Dkt. # 22).) The parties represented to the
19 court that they had reached a tentative settlement agreement involving Plaintiff Donald B.
20 Murphy Contractors, Inc. ("DBM") releasing its claims against Defendant Indian Harbor
21 Insurance Company ("Indian Harbor") and that the parties agreed to stay this lawsuit
22 pending resolution of the underlying case. (Stip. (Dkt. # 21) at 1.) On May 18, 2017, the

1 parties filed a joint status report stating that the trial in the underlying matter was
2 continued from April 24, 2017, to the week of September 18, 2017, but agreeing that the
3 court should maintain the stay of this litigation. (5/18/17 JSR (Dkt. # 23) at 1.) The
4 court agreed and ordered the case to remain stayed pending resolution of the underlying
5 lawsuit. (5/23/17 Stay Order (Dkt. # 24).) On October 23, 2017, the parties again filed a
6 joint status report representing to the court that “a settlement in the underlying case is
7 imminent.” (10/23/17 JSR (Dkt. # 25) at 1.) Indeed, the parties state that “[t]he parties to
8 the underlying case have reportedly agreed to the main terms of a settlement and are in
9 the process of finalizing a written settlement agreement, and the trial court has taken the
10 case off calendar.” (*Id.*)

11 Accordingly, the court ORDERS that this case remain stayed pending resolution
12 of the underlying lawsuit. The court ORDERS the parties to file a joint status report
13 within seven days of the outcome of the trial, dismissal, summary disposition, settlement,
14 or other resolution of the underlying matter, but in any event no later than January 8,
15 2018. Any party may seek to lift or modify the stay if changed circumstances warrant
16 lifting or modifying the stay.

17 Dated this 3rd day of November, 2017.

18
19 

20 JAMES L. ROBART
21 United States District Judge
22